

**Draft Summary of the Land Use, Land Management and Aesthetics Work Group Meeting
Oroville Facilities Relicensing (FERC Project No. 2100)
March 22, 2004**

The Department of Water Resources (DWR) hosted a meeting for the Land Use, Land Management and Aesthetics Work Group (LUWG) on March 22, 2004 in Oroville.

A summary of the discussion, decisions made, and action items is provided below. This summary is not intended to be a transcript, analysis of the meeting, or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present a summary for interested parties who could not attend the meeting. The following are attachments to this summary:

Attachment 1	Meeting Agenda
Attachment 2	Meeting Attendees

Introduction

Attendees were welcomed to the LUWG meeting. Attendees introduced themselves and their affiliations. The participants reviewed the desired outcomes of the meeting. The meeting agenda and list of meeting attendees are appended to this summary as Attachments 1 and 2, respectively.

Action Items – February 23, 2004 Land Use, Land Management and Aesthetics Work Group Meeting

A summary of the February 23, 2004 LUWG meeting is posted on the relicensing web site. The Facilitator reviewed the status of action items from that meeting as follows:

Action Item #LU98: Distribute the final SP-L1 report to the LUWG in advance of the April 2004 LUWG meeting.

Status: DWR is currently reviewing the draft final report for SP-L1 (Land Use), which has been revised relative to the draft interim report distributed in December 2003. The report will be further revised based on DWR comments and additional mapping corrections. Because the LUWG agreed to cancel its April 2004 meeting, the final L1 report will be distributed in advance of the next LUWG meeting scheduled for May 2004.

Action Item #LU99: Send a copy of the interim draft report for SP-L1 report to Michael Pierce (Butte County)

Status: A copy of the interim draft report for SP-L1 report was sent to Michael Pierce; this action item was completed.

Action Item #LU93: Re-write LWG-20 to separate into distinct resource action proposals. (Carry-over action item)

Status: Butte County had not completed this action item. Although representatives from Butte County were not present at the meeting, coordination with County staff indicated that this action item should be completed by May 2004. Jim Martin (DWR) agreed to call Rob MacKenzie (Butte County) to get whatever information the County has available at this time. Based on schedule, it is likely that these new resource actions would be passed directly through to the PDEA Team to be included on whichever submitted list the LUWG agrees is appropriate.

Study Implementation Update

The Consultant Team provided an update on all five Land Use, Land Management and Aesthetics studies to the LUWG, including target completion dates for final reports.

SP-L1 (Land Use)

Please refer to Action Item #LU98 above. In addition, the LUWG discussed whether the final L1 report would include a “conclusions” (or analysis) section as referenced in earlier LUWG meetings. Inclusion of this type of information will be based on the study plan developed for this study. Comments are expected within 30 days of report release. Comments may be included as an appendix or responded to via an errata sheet included in the document. Once the report is finalized, no further changes will be made to the text of the document. This process is intended to allow the information contained in the report to be utilized in a timely fashion by the PDEA Team and during settlement negotiation. The report finalization process is applicable to all study reports. Roger Calloway (DPR) requested a copy of the L1 report.

SP-L2 (Land Management)

The draft interim report for SP-L2 was distributed to the LUWG in advance of the February 2004 meeting. However, because not all of the participants had received and reviewed it prior to that meeting, the majority of the comments on the report were discussed at the March meeting. The following comments and questions were discussed:

- The LUWG discussed the ownership of land subject to third-party leases referenced in the report. Andy Atkinson (DFG) noted that DFG owns land that is part of the Oroville Wildlife Area (OWA) both within and outside the FERC project boundary. The consulting team will research this issue further to clarify ownership information included in the reports. Roger Calloway (DPR) indicated that, in addition to the leases referenced in the report DPR maintains recreational facility leases with private concessionaires. He noted there are 2-3 major lease agreements with concessionaires and numerous smaller agreements administered by DPR, some of which are for 20 years or more. DPR is currently negotiating a lease/concession agreement with CSU Chico for use of the aquatic center at the Thermalito Forebay. The LUWG suggested that this report document the differences between the leases referenced in the report and the DPR lease/concession agreements.
- Include a paragraph on the special event/permit process administered by DPR.
- Significant issues associated with the existing gravel leases were noted, such as the potential effects of the mining operation on sensitive species in the OWA. DWR and DFG are currently coordinating on this issue; this coordination process will not be referenced in the report. The LUWG discussed the possibility that reclamation plans may exist associated with the permitted mining operation.
- It was noted that DFG maintains a lease with the Feather River Recreation and Park District (FRRPD) located between Highway 70 and the Feather River, outside the project boundary but inside the study area; specifically, the lease area extends north of the Highway 162 Bridge and south to the current Matthews Ready-Mix boundary. This area is subject to a proposed resource action in the RSWG related to fishing access at Matthews Riffle. The LUWG suggested that applicable DFG leases should be referenced in the report.
- Table 5.3-1: The location of the Matthews Ready-Mix lease should state that it is west, not east, of Highway 70.
- Andy Atkinson (DFG) asked whether the existing lease areas referenced in the report that are located within the OWA boundary are technically part of the OWA or if they had been

removed from the OWA as part of the lease process. He noted that the purposes of these leases are not consistent with the purpose of the OWA.

- Section 5.4.1.1: Are only certain elements of the Butte County General Plan being updated or is it the entire plan?
- Page 5-51: Are any of the state scenic highways referenced in the report located within the study area or otherwise affected by the Project? Clarify eligible versus designated scenic highway.

The LUWG was asked to provide additional comments and/or hard copy edits to Jim Martin (DWR) who will pass them along to the Consultant Team for inclusion in the final report.

SP-L3 (Comprehensive Plan Consistency)

The draft final report for SP-L3 is currently being reviewed by DWR. The next step is to finalize the report and distribute it to the LUWG in advance of the May 2004 LUWG meeting. The Consultant Team will consider whether it is appropriate to include any existing mining reclamation plans developed for gravel operation in the OWA in the SP-L3 report as discussed earlier.

SP-L4 (Aesthetics)

The consulting team expects to submit the draft interim report for SP-L4 to DWR for review in April 2004. It is possible that the report will be available for distribution to the LUWG at the May 2004 meeting.

SP-L5 (Fuel Load Management)

The consulting team expects to submit the draft final report for SP-L5 to DWR for review this week. The final version of the report will include revisions based on comments provided by the California Department of Forestry and Fire Protection (CDF). It is likely that the final report will be available for LUWG distribution at the May 2004 meeting. One participant asked whether the local fire safe councils had been consulted in the development of the report. It was explained that although these councils were not directly consulted, CDF staff participate in the fire council meetings and have reviewed and commented on the report. In addition, the fire councils are referenced in the fire management plan prepared by CDF that was utilized by the Consultant Team in the preparation of the report. The question was raised whether state agencies (e.g., DFG) would have the opportunity to review CDF comments because sometimes agencies have differing management objectives for lands considered for fuel load reduction. It was noted again that SP-L5 does not represent a fire management "plan", but instead serves as an information source on current and historic fire management issues in the local area. A fire management plan may come out of the settlement process.

Other

LUWG participants were informed that DPR will be providing an update on the status and process of the general plan that is currently being prepared by DPR for the Lake Oroville State Recreation Area (LOSRA) at the upcoming (March) Plenary Group and Recreation and Socioeconomics Work Group (RSWG) meetings.

Next Meeting and Next Steps

The next LUWG meeting will be held on the following date/time:

Date: Monday, May 17, 2004
Time: 6:00 PM to 10:00 PM
Location: Oroville

In addition, the LUWG discussed entering into dialogue with the other work groups to discuss potential cross-resource impacts. It was noted that other work groups have held coordination meetings to discuss potential resource actions with cross-resource effects. The Resource Area Managers (RAMs) for the Cultural Resource Work Group (CRWG) and the RSWG have scheduled a cross-resource meeting on April 20th, and participants from the LUWG have been invited to participate. The proposed discussion is not intended to evaluate cross-resource impacts from a CEQA/NEPA perspective, but rather to discuss strategies or options available to avoid impacts and provide synergy between proposed resource actions from the various work groups. The CRWG will likely note highly sensitive areas to avoid, which would aid in the siting of proposed facilities, particularly proposals with multiple siting options. The LUWG could also raise the issue of the proposed BLM land transfer, which holds interest for the CRWG; DWR reiterated its support for the proposed land transfer. The LUWG expressed interest in a cross-resource coordination meeting with the RSWG and noted some value in also meeting with the CRWG.

It was noted that there is a scheduled settlement-training meeting in Sacramento on April 20th, which appears to conflict with the tentative cross-resource impact meeting scheduled for Oroville. The Facilitator agreed to investigate the potential to adjust the schedule and/or locations and will notify the LUWG.

The LUWG noted that once all of the reports have been finalized, the LUWG would likely continue to meet on an "as needed" basis.

Agreements Made

1. The LUWG agreed to cancel its regularly scheduled meeting in April 2004. However, the LUWG may still participate in the cross-resource impact meeting held with the CRWG on April 20, pending resolution of potential meeting conflicts by the Facilitator.

Action Items

The following list of action items identified by the Land Use, Land Management and Aesthetics Work Group includes a description of the action, the participant responsible for the action, and item status.

Action Item #LU100: Send a copy of the draft interim SP-L1 report to Roger Calloway.
Responsible: DWR / Consultant Team
Due Date: April 1, 2004

Action Item #LU101: Consider inclusion of mining reclamation plans in study report L3.
Responsible: Consulting Team
Due Date: May 17, 2004

Action Item #LU102: Resolve potential upcoming meeting conflicts and report back to the LUWG.
Responsible: Facilitator
Due Date: April 1, 2004